

**A Summer Proposition.**  
Well, now, there's the  
**ICE QUESTION!**  
You know you'll need ice, you know  
it is a necessity in hot weather. We  
believe you are anxious to get that ice  
which will give you satisfaction, and  
we'd like to supply you. Order from  
**THE OAHU ICE & ELECTRIC CO.,**  
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The Elite Ice Cream Parlors.  
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**Union Pacific**  
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Three trains daily through cars, first  
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**Travellers Agree**  
THAT  
**The Overland,**  
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IS  
Quickest, Finest, Best  
A Train that Supplies  
All Demands  
To St. Louis or Chicago  
IN 3 DAYS  
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ELECTRIC LIGHTS  
READING LAMPS,  
CLUB CARS—  
ALL GOOD THINGS  
**Southern Pacific**  
Information Bureau  
613 Market Street,  
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**OAHU RAILWAY AND LAND CO'S**  
**TIME TABLE**  
**OCTOBER 1904.**  
**OUTWARD.**  
For Waianae, Waiakua, Kahuku and  
Way Stations—7:15 a. m., 8:30 p. m.  
For Pearl City, Ewa Mill and Way  
Stations—7:30 a. m., 9:15 a. m.,  
10:30 a. m., 12:15 p. m., 2:30 p. m.,  
4:15 p. m., 5:30 p. m., 7:15 p. m.  
**INWARD.**  
Arrive Honolulu from Kahuku, Wai-  
akua and Waianae—8:30 a. m., 9:31  
p. m.  
Arrive Honolulu from Ewa Mill and  
Pearl City—7:40 a. m., 8:50 a. m.,  
10:30 a. m., 1:40 p. m., 4:31 p. m.,  
7:21 p. m., 9:30 p. m.  
Daily.  
Sunday Excepted.  
M. P. DENNISON  
Supt. P. C. SMITH,  
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**All Tired Out**  
Pale, Thin, Poor Blood, No Energy



Mrs. George Mitchell, of Yule St., Birm-  
ingham, Victoria, sends us her photograph  
with the following story:  
"I suffered terribly from debility. I had  
no energy. I was tired in the morning as  
sight. It did not seem possible for me to  
keep up. I was thin and pale, and my blood  
was very poor. I had no appetite. I gradu-  
ally grew weaker and weaker. When almost  
completely exhausted I read about

**AYER'S**  
**Sarsaparilla**

I immediately tried it, and began to improve  
at once. A few bottles completely restored  
me to health.  
There are many imitation Sarsaparillas.  
Be sure you get Ayer's.  
Ayer's Pills will greatly aid the action of  
the Sarsaparilla. They are all vegetable,  
mild, sugar-coated, and easy to take.  
Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

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**AGENTS FOR**  
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**C. BREWER & CO., LIMITED**  
QUEEN STREET,  
HONOLULU, H. T.

**AGENTS FOR**  
Hawaiian Agricultural Company, Omo  
mea Sugar Company, Honoum Sug  
Company, Walluku Sugar Company  
Ookala Sugar Plantation Company  
Halekale Ranch Company, Kapapala  
Ranch.  
Planters' Line Shipping Company.  
Charles Brewer & Co.'s Line of Bos  
ton Packets.  
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Satisfaction Guaranteed by  
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**BATH**  
THE  
**Plumber**

165 S. King Street  
Telephone Main 61  
**TURNED THE CORNER.**  
Sentiment is more cheerful in indus-  
trial and commercial circles today than  
it has been for more than a year. Busi-  
ness has not only turned the corner,  
but it is now moving forward in a  
broad way that appears clear and safe.  
—Pittsburg Gazette.

**CHARGE TO THE**  
**GRAND JURY**

(Continued from page 1.)

on the evidence adduced before you, or  
from your own personal observation,  
and not the information derived from  
unfounded report.

Because of the partial character of  
your investigations in hearing only and  
arriving at a conclusion solely upon the  
testimony of those who are interested  
or likely to be interested in securing  
the indictment of persons charged with  
the commission of public offenses, I  
cannot charge you too strongly to  
weigh well the testimony and evidence  
adduced before you before finding and  
bringing in an indictment against any  
person charged with the commission of  
a public offense within this circuit. Ig-  
norant, unscrupulous and vindictive  
persons are prone to resort to this  
branch of the judicial power to endeavor  
to procure the presentment or indict-  
ment of an innocent person, charging  
him with the commission of a public  
offense as a means to an end in the  
gratification of a personal spite or in  
avenging some private wrong, by an  
exaggeration of existing facts or by  
actual perjury.

It is the province and duty of a grand  
jury, as well as that of a trial jury, to  
carefully scan the testimony of a wit-  
ness appearing before it in order to ar-  
rive at a correct conclusion as to its  
truth or falsity, and in arriving at this  
conclusion, you are at liberty to take  
into consideration not only the state-  
ments of the witness, but his manner  
of testifying and his appearance on the  
stand, as well as the inherent probabili-  
ty or improbability of his testimony.

In this jurisdiction it is your duty to  
disregard and ignore any charge im-  
puting to any person the commission  
of a public offense, unless you find that  
there is probable cause to believe that  
a trial jury would, upon the evidence  
adduced, weighed and considered in  
the manner that I have indicated, con-  
vict the accused of the offense charged.  
At the common law, and under our  
practice as well, the oath of one credi-  
ble witness, testifying to the existence  
of such a fact, is sufficient in all cases,  
except treason and perjury, to prove  
any fact in issue. Additional evidence  
of the same kind tending to prove the  
same fact is cumulative evidence and  
additional evidence of a different kind,  
tending to prove the same fact is cor-  
roborative evidence. Cumulative evi-  
dence is always objectionable and how-  
ever necessary or desirable corroborative  
evidence may be in the actual trial  
of a criminal cause before a trial jury,  
it has no place in the unilateral and ex-  
parte investigations of a grand jury.  
The production of more than one wit-  
ness to prove a given fact or state of  
facts, if you give the testimony of such  
witness full weight and credit, and  
which alone would, in your judgment,  
justify you in finding that there is  
probable cause to believe that a trial  
jury would convict the accused upon  
the crime charged, is an unnecessary  
and unconscionable tax upon the time  
and patience of grand jurors and the  
imposition of an unjustifiable cost upon  
the tax-payers of this circuit, be-  
cause and by reason of the additional  
time uselessly consumed and additional  
expense needlessly incurred. If, there-  
fore, in any matter brought before you  
for investigation, you are satisfied, upon  
the conclusion of the testimony of  
any one witness, or at any other time  
or stage of the investigation, that the  
evidence before you is sufficient to jus-  
tify you in finding that there is prob-  
able cause to believe that a trial jury  
would convict the accused of the crime  
charged, it is your duty to so advise  
the Attorney General or his deputy, in  
order that your sessions may not be  
needlessly protracted by the calling of  
additional witnesses or by the production  
of additional testimony.

The usual method of initiating pro-  
ceedings in a criminal case is by what  
is called a "preliminary examination"  
of the accused before a magistrate  
where he can be confronted by his ac-  
cuser, cross-examine him and also the  
witnesses produced by him, and have  
the benefit of counsel. This method  
presents to the citizen the greatest se-  
curity against false accusations, and  
ought not to be departed from unless  
the public welfare demands such de-  
parture.

Your oath advises you of the impar-  
tial spirit in which your duties should  
be discharged. You are to present no  
one from envy, hatred or malice; nor  
shall you leave any one unprotected  
for fear, favor, affection, gain, reward  
or hope thereof, but will present all  
things truly as they come to your  
knowledge, according to the best of  
your understanding.

As allusion has been made to a pre-  
sentment or indictment by a grand  
jury, I consider it advisable to briefly  
call your attention to the distinction  
between a presentment and an indict-  
ment. An indictment is a formal accu-  
sation made by the grand jury charg-  
ing a person with the commission of a  
public offense, while a presentment is  
an informal accusation usually found  
by the grand jury upon their own  
knowledge, or upon the evidence before  
them. A presentment is wanting in  
technical form and has fallen into dis-  
use since the practice has prevailed for  
the prosecuting officer to attend the  
grand jury and advise them in their  
investigations.

Gentlemen, the Attorney General, or  
his deputy, will examine all witnesses  
who may appear before you, but you  
may also examine such witnesses if  
you deem it necessary. You must ex-  
clude all persons, including the Attor-  
ney General, or his deputy, from your  
presence and hearing while you are  
deliberating and voting upon any ques-  
tion which may have been brought be-  
fore you. During the deliberations and  
vote of the grand jury, no person, not  
a member of the grand jury, may be  
present. An indictment found by you  
may be set aside if this rule is violated.  
It is the duty of the Attorney Gen-  
eral, or his deputy, to advise you as to

**"BANZAI" IS**  
**THEIR "IO PEAN"**

JAPANESE WILL CELEBRATE THE  
FALL OF FORT ARTHUR WITH A  
GREAT PROCESSION TONIGHT.

There were big doings last night  
among the Japanese of Honolulu in  
celebration of the fall of Port Arthur,  
but all of those doings will sink into  
insignificance if Prince Fushimi ar-  
rives on the Mongolia today in time to  
land and receive the stentorian "Ban-  
zai" of his enthusiastic fellow coun-  
trymen. It is no small matter to the  
Japanese here that the blood relative  
and adopted brother of their Emperor  
should here learn that Japan has won  
the greatest victory of modern times,  
a victory to which the Prince added  
materially. It must be remembered, for  
he was in command at the fierce battle  
of Nanshan, one of the engagements  
preliminary to the complete investment  
of the fortress.

Last night it was a poor Japanese in-  
deed who did not decorate his house, or  
himself, with flags or lanterns or both,  
and until a late hour all were making  
preparations for the big celebration  
which is to be held tonight.

Yesterday afternoon a meeting of  
twenty-two prominent Japanese was  
held at their Nuuanu street school  
house, those present being K. Kobayashi,  
Dr. Kobayashi, T. Onodera, Rev.  
Mr. Imamura, Dr. Motomura, A. K.  
Azawa, T. Ishikawa, Dr. Hasegawa,  
Dr. Uchida, Y. Ishii, Dr. Iga Mori,  
Lieut. Kurokawa, Japanese Imperial  
guard; Dr. Katsunuma, Mr. Uyeno,  
Dr. Katsuki, Dr. Haida, K. Kawasuki,  
K. Hiyama, S. Anno, T. Hara moto and  
C. Shiozawa.

It was decided to mark the occasion  
with a lantern procession which will  
discontinue anything of the kind ever held  
outside of the empire of the Rising Sun.  
The place of meeting will be Aala Park  
and the procession will be timed to  
start at 6:20. The route of the pro-  
cession will be as follows: From Aala  
Park along Beretania and King to  
Liliha; Liliha to Judd street, where  
Banzais will be given for Governor  
Carter; thence along Judd street to  
Nuuanu, down Nuuanu to the Japa-  
nese Consul-General's residence, where  
Consul-General Miki Saito will greet  
the procession and the Japanese flag  
there will be saluted with Banzais. The  
procession will continue down Nuuanu  
street to Beretania.

In case Prince Fushimi is in town  
and at the Alexander Young Hotel, the  
procession will go to Bishop street by  
way of Hotel street. Otherwise it will  
continue to King street by way of Fort  
street, thence along King to the resi-  
dence of the British Consul, where  
more Banzais will be given, thence  
to Pihoko, to Beretania, thence along  
Beretania to Thomas Square where the  
procession will be dispersed, Lieutenant  
Kurokawa will be marshal of the pro-  
cession.

**QUEEN EMMA'S BIRTHDAY.**

Yesterday was the anniversary of the  
birthday of the late Queen Emma Ka-  
lelanani. Queen Emma was the con-  
sort of the late King Alexander Liho-  
liho, Kamehameha V, and was the un-  
successful rival for the throne of Ha-  
waii in the election following the death  
of the last King of the Kamehameha  
dynasty.

**CARPENTERS' OFFICERS.**

Monday week the carpenters' union  
will hold a smoker after the installa-  
tion of officers. The list of these for  
the ensuing term is as follows: T.  
O'Brien, president; George Thomas;  
vice president; F. Sackwitz, secretary;  
Carl Zeilm, treasurer; S. K. Nawan,  
financial secretary. Delegates to Trades  
and Labor Council—T. O'Brien, George  
Thomas and F. Sackwitz.

The law applicable to any particular  
state of facts involved in any matter  
pending before you. If, in any case,  
you find an indictment, it will be the  
duty of the Attorney General, or his  
deputy, to prepare it for you at your  
request.

You will hear the witnesses for the  
prosecution, or as many of such wit-  
nesses as you may deem expedient or  
necessary, and if, in your judgment,  
keeping in mind the instructions of the  
court in reference to the consideration  
to be given to the testimony of each  
witness, the evidence of such witness-  
es, unexplained and contradicted,  
would warrant a conviction by a trial  
jury, it will be your duty to find an in-  
dictment. You will not permit accused  
persons, or their attorneys or witness-  
es to appear before you or permit them,  
or any other person whomsoever, to  
speak to you on the street or elsewhere  
in regard to any matter or thing you  
may be investigating or have under  
consideration. The oath which you  
have taken obliges you to keep all of  
your proceedings secret and you should  
constantly keep in mind the obligation  
of your oath. It is the policy of the law  
that inquiry on the part of a grand  
jury as to the innocence or guilt of a  
person accused of crime should be se-  
cretly conducted. As was well said by  
an eminent jurist in a reported charge  
to a grand jury, "Great injustice and  
injury might be done to the good name  
and standing of a citizen, if it were  
known that there ever had been before  
you for consideration the question of  
his guilt or innocence of a public of-  
fense." At the common law, a grand  
juror disclosing evidence before the  
jury, was made an accessory to the of-  
fense, if a felony other than treason, or  
if treason, a principal.

While it is your privilege and right  
to inquire into the management and  
conduct of public institutions, situated  
in this circuit, under Territorial con-  
trol, it is not your duty to do so unless  
some specific charge of gross misman-  
agement or malfeasance in office on the  
part of the officers or employees of  
some particular institution is called to  
your attention.

**Association**  
**Foot-Ball**  
is the sport that comes next.  
We have just received from England a small shipment  
of the  
**"Genuine McGregor"**  
**Association Foot-Balls**  
This is the ball used in the International Matches.  
England vs. Scotland 1899-1901-1902-1903 and 1904.  
English Cup Finals 1899-1900-1901-1902 and 1903.  
We also have a fine line of Elk skin Foot Ball Shoes,  
and a good assortment of Shin Guards.  
**E. O. HALL & SON, LTD.**

**OUR OWN LINE**  
**San Francisco to Chicago**  
(WITHOUT CHANGE).  
**STANDARD AND TOURIST SLEEPERS DAILY**  
  
Trade Mark  
Stopping en route at Los Angeles, also "THE PETRIFIED FOREST"  
and the "GRAND CANYON OF ARIZONA."  
HONOLULU PEOPLE TAKE THE SANTA FE ROUTE DURING THE  
COLD WINTER MONTHS. AN IDEAL TRIP ALONG THE OILED ROAD-  
BEDS ON THE CALIFORNIA LIMITED. TWO TRAINS DAILY.  
Passenger Agent, W. G. Irwin & Co., Office

**Holiday Goods!**  
Lacquer Ware, German Ware, Flower Vases, Kimonos,  
Silk Cushion Covers, Fans, Japanese Purses for Ladies,  
New line of Panama Hats at specially low prices.  
**K. ISOSHIMA**  
No. 30 King Street, Near Bethel.  
**SIX DAY RACER**  
  
FLOYD KREBS  
Floyd Krebs, one of the riders in the new six day race in New York. He  
is a veteran at six day racing.